

PSYCHOLOGICAL HARASSMENT and BULLYING IN THE WORKPLACE

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Why is this an issue for Employers and Employees?

BC Business Mag – Report statistics that bullying is 3X more common than sexual harassment

The Zogby Study (US) cites in the largest North American study that bullying is 4 X more common **7,740 respondents**

BC. Human Resource Professionals Association: May/28 2008 makes the following statement in their Conference descriptor:

Despite these measures, workplace harassment and conflict is on the rise, causing increasing dissatisfaction among employees and reduced productivity in the workplace.

Macleans published the following statistics in 2007

“past 3 yrs, 6,850 Quebec residents filed complaint”

1/3 Serious were serious enough /required mediation

438---Quebec Com. de Travail

2004 Rod Phillips Warren Shepell 30% increase in psychological harassment (400 cases)
EAP – **Human Resource Professionals Association Organization**

Canadian Safety Council: 2003 survey: **82% of workers** will be target of workplace abuse (at some point in their career)

Most common targets: Long term well established employee. Young employees can be targeted.

Perpetrators – No gender difference, 71% of the time the bully is a person of authority

Bullying is about: **Power and Control at the expense of another individual.**
The target suffers in silence for prolonged periods.

A Quote from Chief Justice Dickson (Alberta Reference Employee Relations Act /Fitzgibbon 07) made the comment “Work is one of the most fundamental aspects in a person’s life, providing the individual with a means of financial support and, as importantly, a contributory role in society. A person’s employment is an essential component of his or her sense of identity, self-worth and emotional well being. Accordingly, the conditions in which a person works are highly significant in shaping the whole compendium of psychological, emotional and physical elements of a person’s dignity and self-respect.”

Supreme Court: - recognized a power imbalance exists with every employment relationship.

Common Law – employer duty to ensure workplace fair, civil, decent and respectful

- Obligation to ensure the workplace does not become hostile, embarrassing or forbidding. Employer recognized as having the most influence over the work environment therefore the employer faces a higher expectation for civil conduct in workplace.

Case Law has been established: Employer held liable for tolerating poor corporate culture/abusive treatment- dealing in bad faith with employees.

Employer must be responsive to interpersonal conflict – proactive vigilant leadership promoting a healthy work place. Management – must take action - cannot condone harassment

Laws providing Psychological Harassment Protection in Canada

Psychological Harassment:

Quebec: defined vexatious behaviour –

conduct, verbal comments, actions or gestures

- **repetitive** – but can be 1 serious incident
- **hostile**
- **affects dignity/psychological integrity** – creates a **harmful work** environment

Saskatchewan: Inappropriate conduct, comment, display, action or gesture affects psychological or physical well being (**Must be established or 1 single serious incident.**)

- person knows or ought to know it would cause worker to be humiliated/intimidated and
- constitutes a threat to worker safety. Creating a **lasting harmful effect.**

Emphasis on **Impact to Individual(s) not Intent**

Both laws focus on education, prevention/elimination, and minimizing behaviour

Harassing Behaviour - some definitions of harassing behaviour includes (but is not exhaustive):

- **rude, degrading offensive remarks** (verbal or written)
- **provocation, pressure, coercion, intent to frighten, intimidate or threaten**
- **gestures - intent to intimidate, discredit** – in order to destabilize
 - o spreading **rumours, use of ridicule, humiliation**, comment private lives
 - o **shout, verbal abuse, sexual harassment**

Employer:

- **Assignment of new duties to worker without training,**
- **Demotion, remote or unjustified transfer**
- assignment of tasks **below target's skill level, humiliating, useless or absurd tasks, hazardous, or unhealthy work assignments**
 - o **worker: not assigned duties/tasks or administrative harassing (micromanagement)**

- **excessive control** over individual's work (demands so great that deadlines are impossible to meet)
- **Belittle or criticize** individual's **work or private life**
- **Ignoring** individual's **input** within the workplace
- **Underrating individual's contribution within their job**

Exclusion/Isolation:

Exclusion from meetings, projects, training courses, information essential for performing duties within workplace,

Threat of dismissal,

unjustified low merit-performance rating,

excessive workload (impossible to meet),

threat or unjustified **disciplinary action**

Preventing individual from expressing themselves,

Prohibiting individual from **speaking to others**

Isolating the person (**no longer talking to them, denying their presence**)

Promotion of **barrier(s) to prevent the individual's contact with others**

Instigating colleagues to take action against the individual

Harassment is Not:

Non-discriminatory, non-abusive, legitimate day to day management in the workplace.

promotion, demotion, suspension,

performance evaluation, attendance, discipline,

dissent but reasonable management opinion,

workplace conflict if handled **wisely** (left unresolved or poorly managed – can develop into psychological harassment).

general work related **stress** (number of factors can create the stress) - however if not monitored, can develop into psychological harassment, if no support or intervention is provided.

Organizational change – economic/technological.

Employee's view of Management's role in the Workplace:

Role is to **evaluate** and **understand** activities, social environment, workplace processes and employee morale.

--Quote from Alfred Sloan, former executive of General Motors: "Every organization is the shadow of its leader". Burton 2007. Senior management behaviour styles represent organizational values and demonstrate expectations for employee behaviour. Respectful behaviour begets respectful behaviour. **Workplace bullying/harassment can't exist unless supported and condoned by senior management.**

-- **A strong leader** has the capacity to **observe cultural elements** within the organization **and accurately identify key motivators of destructive behaviour.**

--**Canadian Safety Council**

Organizational **development of strong interpersonal skills** is required at **all levels.** -Fundamental to promotion of a healthy workplace

Harassment Process:

Analogy: Serious Illness business analogy/individual analogy

Individual:

Busy with ordinary life activities and events

From time to time become suspicious something is not quite right

Symptoms worsen to point where concern motivates to seek medical attention.

Diagnosis received: Crisis from diagnosis: At a crossroads

Option 1: if intervention/ support and appropriate medical treatment are provided the individual will heal, recover, becomes a changed individual due to their experience and most commonly move forward.

Option 2: If symptoms ignored, inappropriate or poor medical care, poor intervention or support, the individual will experience a decline of health and is likely to never be able to recover.

Business:

Normal organizational events and activities occur within the workplace

From time to time low levels of conflict/tension/stress manifests amongst employees

The impact from these issues grows if not identified/ignored and intervention(s) applied.

A crisis develops that will have organizational impact. Now at a crossroads and significant effort and expense must be mustered.

Option 1 and 2 now apply. If Option 2 is the process, the organization may not recover.

HARASSMENT: is related to Work Practices and Change Management – essentially caused by improper use of Human Resource management.

What are the roles that define participants in Psychological Harassment/Bullying?

Characteristics of the Bully - low self-esteem, poor communication skills,
○ Unresolved past work conflict, accumulated psychological issues

Perpetrator perceives target as THREAT.

To select co-workers(supervisors) bully(s) are well-liked----- charming

Bullies consider themselves invaluable and safe- they consider themselves within the protected group

Belief of **right to inflict controlling and abusive** behaviour toward others.

Intent inflict deep harm to targeted employee –

“actions remain undetected or are difficult to identify.” THIS IS A MOST CRITICAL FACTOR FOR BOTH TARGETS AND EMPLOYERS!

Enlists co-workers to become involved (behaviour intensifies)

77% cases the bully recruit's others

73.4% cases management knows

54.9% cases bully never reprimanded – no consequence for bullying behaviour –Management supports the workplace harassment as a consequence.

Bullying behaviour escalates as sphere of influence strengthens.

If behaviour not addressed and stopped/ bully is successful in eliminating the harassed employee.

Management has supported or been inactive with consequences to eliminate the behaviour the **Bully now targets other individuals.** The **pattern is now repeated** and workplace health continues it's downward spiral.

Bully Boss: USE POWER TO DISEMPOWER OTHERS

Treat subordinates as non-persons

Actions directed at employees: belittlement directed at individual, coercion, intimidation, threats to incite fear.

- intent to conceal their own personal fears and project themselves in grandiose light.

The Target:

**ANY EMPLOYEE MAY BECOME A TARGET – RIGHT CIRCUMSTANCES
WRONG PLACE/WRONG TIME**

70% long term well established employee, average age 40's, Women

Characterized as:

- non-confrontational, un-political, hard working, dedicated to job
- acts with integrity, honesty, ethical
- high technical skill, liked by others
- change agent
- target often optimistic, forgiving and trusts in finding resolution/ procedural justice

Target: does not return aggression directed toward them----- Price target pays --- **Bully**
conducts their harassment with impunity

How often do employees complain, in what form and do Employer's need to worry about fraudulent employee complaints?

4% File Complaint
3% file lawsuits

38% informally speak to employer
40% never complain

Reasons Employees do not complain: Concern that their issues/complaint will not taken seriously/stigma and fear of retaliation from Management/Co-workers

How long is the Targeted Employee generally exposed to Harassing Behaviour?

Length of Bullying Exposure: **75% cases greater 6 months**

44% greater than 1 year

If employee does address complaint/issue with employer ---- rare in past, employer acted **on complaint** to resolve issue

Employee left with no recourse: Employer challenges other mechanisms (processes - Human Rights, OH&S) sought by employee in search for resolution process: Tribunal appeals – challenges to jurisdiction

- **Past:** no protection from Government agencies – no protection (not a prohibited ground).
 - Now OH&S. October 2007 amendment
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Targets: Women: verbal abuse ---- Intent to stop from expressing herself/Isolate and Exclude in Workplace.

Men: hostility from co-workers -----discredit performance--- few complaints from men-not (macho), employee will be considered weak, thin skinned.

Initial Stages of Psychological Harassment/Bullying:

Difficult to identify by Target and Management

Behaviour directed at Target: Non-verbal messages, Humiliation/intimidation/gestures/tones/facial expression – Incident levels likely low initially but escalate. Bully manipulates actions so that behaviour is hard to detect.

TARGET'S REACTION: Denial/Confusion and Disbelief: Exposure to Offensive behaviour presents: Challenges to Target's Belief systems.

Once Target identifies Offensive Behaviour as Psychological Harassment/Bullying Process then Seek Resolution through Management, Organization, failing that then Government Agencies

Target - has **NO CONTROL OVER PROCESS /or ESCALATION OF CONFLICT**

RETALIATION FROM MANAGEMENT/COLLEAGUES

- Target* pushed into position of helplessness within organization
- Intent of organization is to eliminate individual from workforce.

*Unexpectedly and contrary to written organization policies the employer does not act on the complaint/intervene to stop the offensive behaviour and negative impact to the targeted employee.

Why Do Co-workers participate with the Bully? Why do they not support the Targeted Employee?

Coworker Participation/Retaliation

Apathy, Don't Care

Co-workers often feel protected from becoming target

FEAR: Stay under the radar – no exposure to bully – won't become target
Intimidated/fearful of becoming next target, Will not support Target because doing so sets supporter up to become the next target of the Bully/Co-workers

Co-workers support Bully and tactics as a form self-protection. If part of the group then not vulnerable.

What is the Impact on the Target?

Negative impact on health – Target's belief in ability/self worth shattered

Trust, Motivation, Loyalty to Organization/Co-workers Significantly Damaged or Destroyed

Unable to perform job due to exposure of Harassing Behaviour/Exclusion/Isolation by Co-workers, followed by Management.

Target is further ostracized, excluded and isolated from participating in workplace.

Belittled – Exposed to a **lack of recognition of contribution to their job/organization** or input.

Experiences withholding of information/required materials to perform duties.

Result: Further escalation – Impact to exposure to Bullying/Management Inaction/Challenges increases sense of helplessness to total Despair of the Targeted Employee

Compounds Target's sense of Disbelief and Confusion

Once Competent, Confident and Strong Employee

Now Weak, Insecure (Doubts own abilities, Questions Sanity, Experiences Humiliation and Deep Shame) - unable to find justice or obtain resolution to issues!**

** Shame is recognized as the most powerful fear that an individual can experience.

What Happens to the Targeted Individual?

Departure from Workplace due to Declining Physical and Psychological Health

Diminished Ability to Cope if Individual remains in workplace and Harassment Continues

can display **irrational/erratic behaviour** due to **mental injury**

problems with **concentration, memory and ability** to focus on tasks.

- greater levels of **anger and frustration**
- more **tearful, irritable, confused and sad**

- May self-medicate with alcohol, drugs or prescription medications
- Effects **work/personal life**
- **Unable to enjoy life (Breakdown with family relationships, Marriages)**
- Extreme circumstances Suicide, Violence directed toward Organization/Community

(OC Transpo- Postal Situation in US, Kamloops, -shootings within workplace) Gender: male
Female: turned inward

Violence directed at co-workers-Community-Organization almost exclusively Male
Anger/Frustration turned Inward with Female Targets.

**Management cites poor performance of Harassed Employee rather than
psychologic injury from Harassment Experience!**

**Target further victimized – set up for
failure/discipline/threats to job status-employment.**

Inadequate support or intervention provided to target by Employer.

**Management’s position: Blame Target: for escalating problems ---
workplace dysfunction** Target’s position in organization **weakened.**

**Threat to employment/career – no resolution and declining health – Target
consumed with problem.**

Co-worker retaliation: Blame – Target must have done something wrong, targeted employee
faces further stigma due to employee/management/public’s lack of education and understanding of
Psychological Harassment/Bullying

Both Management and Co-workers: Continue with progressive coercive,
insensitive, cruel, intimidating critical behaviour

Intent continues to **Undermine reputation, credibility, competence, job
security, career and financial stability**

Labelling of the targeted employee as paranoid

With Further escalation of the harassment directed at **target creates increased fears of Bully, Retaliation, Credibility, Job and Economic Loss, Declining Health, Increase Humiliation and Shame**

Other Co-workers/Witness' experience increased fear and intimidation from employer/Organization as they witness the destruction of the targeted individual and the consequences the target faces.

What are the Health Effects on the Targeted Employee?

45% workers experience stress related health problems

INCLUDE:

CARDIOVASCULAR PROBLEMS

Hypertension, stroke, heart attack

NEUROLOGICAL BRAIN CHANGES

Neurotransmitter disruption, hippocampus shrinkage

Fibromyalgia – Chronic Fatigue Syndrome

Debilitating Anxiety - Panic Attacks - Clinical Depression

Post Traumatic Stress Disorder 30% women/ 21% Men

What are the Options available to the Targeted Employee? How effective are these initiatives?

OPTIONS: All have a lengthy process, Management commonly protects self interests, ignores complaint/ lacks skill- - hopes issue will go away – employee will leave?

NO RESOLUTION/ Jurisdiction – what process if any?

Reluctant to fix workplace – greater expense/effort – easier if remove the targeted employee.

Internal Policy: inadequate/non-independent investigation performed – denial that harassment occurs to support Employer’s contention harassment not present. Blame the individual

Harassment/Discrimination Office: If a proactive employer potential intervention may take place. Not uncommonly told by Officer to drop complaint because no resolution can be obtained/it’s will ruin the Employer’s reputation etc.

Employer drags out resolution process so that targeted individual physically and psychologically exhausts/ runs out of financial assets defending case /Legal-Litigation – drops case.

WCB: definition for receiving compensation: acute stress- uncommon to receive benefits if exposed to Chronic Workplace Stress/Harassment.

if receive benefits potentially may negate grievance/litigation process

LTD Disability – often denied – especially harassment from employer. **Target left in poor health, no income, poor employability prospects.**

Human Rights: - prohibited grounds only, can be very lengthy process, 5-6 years, witness’ move, circumstances change so no real resolution. Employer challenges to process

OH&S previously provided no protection: Oct 1/07 – now under prohibited grounds. Employer may challenge jurisdiction to this process or not comply with rulings under new law. Target then seeks potential process under OH&S under “Discrimination against the targeted individual for making a formal complaint” section.

MANAGEMENT LEADERSHIP STYLES Supporting Hostile/Bullying Work Environment.

“POOR MANAGEMENT PRACTICES”

Poor –Non Existent Leadership

Incompetent Leadership

Rigid or Narrow-Minded

Overbearing

Malicious

ABUSE OF AUTHORITY: Explicit or Implied Threat

Employer lacks effective Conflict Management Skills/Process.

WORKPLACE CONFLICT: - employees recognize existence of dysfunctional workplace conflict if surveyed / **Management is aware dysfunction/**destructive conflict exists

Dysfunction/Conflict starts off at a **low intensity** – **intensifies** if not corrected.

Common management to **ignore the dysfunction until becomes explosive** requiring urgent intervention

Threatens employee mental and physical health/ not just targets, but co-workers managers and Senior Management.

Statistics show Increase in Workplace Accidents (Inability to focus and concentrate)

PRICE ORGANIZATION PAYS FOR NOT ALLOWING PEOPLE TO DEVELOP TO THEIR FULL POTENTIAL.

What are the Characteristics of a Workplace Supporting Psychological Harassment/Bullying?

Exists in a **REPRESSIVE WORK CULTURE** characterized by

Political workplace: often hierarchal, highly competitive work environment, high management expectations with low recognition of employee contribution.

Environment creates and supports

Diminished satisfaction, commitment, engagement, creativity, vision and morale, Intimidation, fear of employees

Communication breaks down between individuals, individuals and management.
INEFFECTIVE OR NON-EXISTENT

Presenteeism: employee intensifying or responding to conflict. Personal strategy, discussion-gossip, enlisting support, trying to cope or minimize adverse affects: **NON PRODUCTIVE EMPLOYER PAID TIME**

Talent flight/turnover, training costs (40%)

Litigation Costs: Grievances, Constructive Dismissal Court Action by employees.

Common Outcome:

Targeted Employee:

- 77% job loss**
- 13% punitive transfer**
- 24% constructive dismissal**
- 40% health and sanity issues – employee terminates**

Monetary Costs: TANGIBLE COSTS TO EMPLOYER

Cited from Canadian Policy Research organization*:

- stress related work absence costs 3.5 billion dollars/year—30% employees seek psychiatric help.
- absenteeism from work-life conflicts cost 5.48 billion dollars/year
- decreased productivity (presenteeism, stifle ideas and employee initiative) 11.1 billion/year
- Health Insurance Claims and Costs: 26% increase from 1990-1994, 14% increase to disability – depression
- Costs for treating depression estimated \$30 billion/year – Rate in Canada: greater than the world average
- Financial costs 20% payroll (typical company) toward absenteeism, turnover, disability, counselling and medicine costs.
- Private Insurance Costs 24% increase since 1980
- Disability: 30% increase in STD/LTD Costs : Mental health problems 33 billion dollars/year-depression and burn-out
- Watson Wyatt 27% increase LTD costs-2005
- Stress factors contributes to at least 60% of workplace accidents
- Emotional psychological job demands shown to create 2.5 times the risk of accidents)

Organizational Profile and Reputation: Consequences for not Addressing Hostile Workplace, Psychological Harassment/Bullying to an Organization.

- Poor reputation
- Presenteeism – Canada Safety Council. Targets spend 10-52% time defending
- Thinking about situation, networking, lack of motivation, stress, sick leave.
- Difficulty attracting capable workers
- Increased expenses for advertising and recruitment
- Staff resistance and sabotage to top-down changes.
- Difficulty retaining good employees. Turnover 40% increase
- Loss accumulated wisdom/experience
- Retaliation amongst workers
- Legal costs: direct/indirect prep and attendance costs.

***Cost Savings to Employers with Stress Control Programs:**

Organizations who manage people well **outperform** other organizations by **30-40%**

18% reduction in employee absence

32% reduction in grievances/litigation

52% reduction in disability

7% increase in employee productivity

13% increase service quality

Company Success Stories:

Pazmac: Non-existent turn-over and average sick time usage .1 day/employee/year

Dofasco: decrease sick day usage from 7.4 days to 4 days

- employee turnover decrease from 10% to 6%

Delta Hotels: employee turnover 19-22% compared to industry average of 40-60%

Irving Paper: STD costs dropped 50%

Grievance litigation dropped from 50% to 11

Cost/Benefit Analysis of Stress Control Programs in the Workplace: Cost benefit ratio ranges from \$1.15-\$6.00 for every investment dollar: **B.C. Hydro and Canada Life Insurance.**